

STATUTE I.

June 19, 1813.

Act of July 29, 1813, chap. 35.

Agreements with fishermen under what sanctions to be made.

Fishermen neglecting their duty.

Act of July 20, 1790, chap. 29, sec. 7.

Conditions to which they become subject.

Fishing vessels to continue liable for wages of the hands for six months after sale of fish.

Just accounts of sales to be produced, otherwise the vessel answerable.

If vessel sued the owner may give bond.

CHAP. II.—*An Act for the government of persons in certain fisheries.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the master or skipper of any vessel of the burthen of twenty tons or upwards, qualified according to law for carrying on the bank and other cod fisheries, bound from a port of the United States to be employed in any such fishery, at sea, shall, before proceeding on such fishing voyage, make an agreement in writing or print with every fisherman who may be employed therein, (except only an apprentice or servant of himself or owner,) and, in addition to such terms of shipment as may be agreed on, shall in such agreement express whether the same is to continue for one voyage or for the fishing season, and shall also express, that the fish or the proceeds of such fishing voyage or voyages, which may appertain to the fishermen, shall be divided among them in proportion to the quantities or number of said fish which they may respectively have caught; which agreement shall be endorsed or countersigned by the owner of such fishing vessel or his agent. And if any fisherman, having engaged himself for a voyage or for the fishing season, in any fishing vessel, and signed an agreement therefor as aforesaid, shall thereafter and while such agreement remains in force and to be performed, desert or absent himself from such vessel without leave of the master or skipper thereof, or of the owner or his agent, such deserter shall be liable to the same penalties as deserting seamen or mariners are subject to in the merchant service, and may in the like manner, and upon the like complaint and proof, be apprehended and detained; and all costs of process and commitment, if paid by the master or owner, shall be deducted out of the share of fish, or proceeds of any fishing voyage to which such deserter had or shall become entitled. And any fisherman, having engaged himself as aforesaid, who shall during such fishing voyage refuse or neglect his proper duty on board the fishing vessel, being thereto ordered or required by the master or skipper thereof, or shall otherwise resist his just commands to the hinderance or detriment of such voyage, besides being answerable for all damages arising thereby, shall forfeit to the use of the owner of such vessel his share of any public allowance which may be paid upon such voyage.

SEC. 2. *And be it further enacted,* That where an agreement or contract shall be so made and signed for a fishing voyage or for the fishing season, and any fish which may have been caught on board such vessel during the same, shall be delivered to the owner or to his agent for cure, and shall be sold by said owner or agent, such vessel shall, for the term of six months after such sale, be liable and answerable for the skipper's and every other fisherman's share of such fish, and may be proceeded against in the same form and to the same effect as any other vessel is by law liable and may be proceeded against for the wages of seamen or mariners in the merchant service. And upon such process for the value of a share or shares of the proceeds of fish delivered and sold as aforesaid it shall be incumbent on the owner or his agent to produce a just account of the sales and division of such fish according to such agreement or contract; otherwise the said vessel shall be answerable upon such process for what may be the highest value of the share or shares demanded. But in all cases the owner of such vessel or his agent, appearing to answer to such process, may offer thereupon his account of general supplies made for such fishing voyage and of other supplies therefor made to either of the demandants, and shall be allowed to produce evidence thereof in answer to their demands respectively; and judgment shall be rendered upon such process for the respective balances which upon such an inquiry shall appear: *Provided always,* That when process shall be issued against any vessel liable as aforesaid, if the owner thereof, or his

agent, will give bond to each fisherman in whose favour such process shall be instituted with sufficient security, to the satisfaction of two justices of the peace, one of whom shall be named by such owner or agent, and the other by the fisherman or fishermen pursuing such process, or if either party shall refuse, then the justice first appointed shall name his associate, with condition to answer and pay whatever sum shall be recovered by him or them on such process, there shall be an immediate discharge of such vessel: *Provided*, That nothing herein contained shall prevent any fisherman from having his action at common law for his share or shares of fish or the proceeds thereof as aforesaid.

APPROVED, June 19, 1813.

Remedy at
common law to
be preserved.

STATUTE I.

July 5, 1813.

[Obsolete.]

Act of January 29, 1813, ch. 15.

Act of March 3, 1815, ch. 78.

Five of the regiments lately authorized to be raised may be enlisted for the war.

CHAP. IV.—*An Act to amend the act in addition to the act, entitled "An act to raise an additional military force, and for other purposes."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That five of the regiments which were authorized to be raised by an act in addition to the act, entitled "An act to raise an additional military force, and for other purposes," passed the twenty-ninth day of January, one thousand eight hundred and thirteen, may, at the discretion of the President of the United States, be enlisted for and during the war, unless sooner discharged, and be limited as to service to the defence of the sea board of the United States, or of such part thereof as the President may elect and determine.

SEC. 2. *And be it further enacted*, That each man recruited under the authority of this act, be allowed the same bounty in money and land as is allowed by law to men enlisted for five years or for the war, and that the officers, non-commissioned officers, musicians and privates, shall receive the same pay, clothing, subsistence and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed in every respect on the same footing as the other regular troops of the United States.

APPROVED, July 5, 1813.

Bounty, &c.
&c. to recruits.

STATUTE I.

July 5, 1813.

Repealed by act of February 27, 1815, ch. 62.

A number of barges to be built.

CHAP. VI.—*An Act authorizing the President of the United States to cause to be built barges for the defence of the ports and harbours of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the protection of the ports and harbours of the United States, the President shall cause to be built, without delay, such number of barges as he may deem necessary, to be armed, equipped, and manned as he may direct, of a size not less than forty-five feet long, and capable of carrying heavy guns.

SEC. 2. *And be it further enacted*, That for the purpose aforesaid the sum of two hundred and fifty thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, July 5, 1813.

Specific appropriation.

STATUTE I.

July 5, 1813.

[Obsolete.]

Act of June 9, 1794, ch. 62.
Act of March 21, 1808, ch. 37.

CHAP. VII.—*An Act further extending the time for issuing and locating military land warrants.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to issue military land warrants to such persons as have